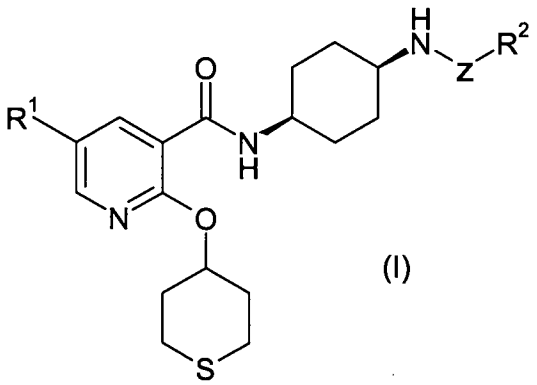
Amendments to the Claims

1. (Currently amended) A compound of formula (I),



(I)

or a pharmaceutically acceptable salt or solvate thereof,

wherein:

R^1 is H, halo or $(C_1\text{-}C_4)$alkyl;

Z is CO or SO_2;

R^2 is phenyl, benzyl, naphthyl ~~, heteroaryl~~ or $(C_3\text{-}C_8)$cycloalkyl,

each of which is optionally substituted independently with one to three halo; CN; $CONR^3R^4$; $(C_1\text{-}C_6)$alkyl optionally substituted with one to three halo; OH; hydroxy$(C_1\text{-}C_6)$alkyl; $((C_3\text{-}C_8)$cycloalkyl$)\text{-}(C_1\text{-}C_6)$alkyl; phenyl optionally substituted independently with one to three hydroxy or halo; $(C_3\text{-}C_8)$cycloalkyl; or NR^3R^4; and

R^3 and R^4 are each independently H, $(C_1\text{-}C_4)$alkyl or $SO_2(C_1\text{-}C_4)$alkyl.

2. (Previously presented) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^1 is H, halo, CH_3 or C_2H_5.

3. (Currently amended) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^2 is phenyl, ~~imidazolyl, pyrazinyl, indazolyl, purinyl, quinolinyl, quinazolinyl, benzofuranyl, dihydrobenzofuranyl, benzothiadiazolyl, benzoxadiazolyl, pyrazolyl, imidazopyridyl, benzimidazolyl, pyrazolopyridyl, pyrazolopyrimidyl,~~ benzyl or cyclopropyl, each of which is optionally substituted independently with one to three halo; CN; $CONR^3R^4$; $(C_1\text{-}C_6)$alkyl optionally substituted with one to three halo; OH; hydroxy$(C_1\text{-}C_6)$alkyl; $((C_3\text{-}C_8)$cycloalkyl$)\text{-}(C_1\text{-}C_6)$alkyl; phenyl optionally substituted independently with one to three hydroxy or halo; $(C_3\text{-}C_8)$cycloalkyl; or NR^3R^4.

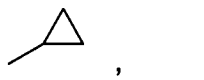
4. (Previously presented) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^1 is H, F, Cl or CH_3.

5. (Currently amended) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^2 is phenyl, ~~imidazolyl, indazolyl, quinolyl, quinazolinyl, dihydrobenzofuranyl, benzothiadiazolyl, benzoxadiazolyl, pyrazolyl, imidazopyridyl, benzimidazolyl, pyrazolopyridyl,~~ benzyl or cyclopropyl, each of which is optionally substituted independently with one to three CH_3, $N(CH_3)SO_2CH_3$, $NHSO_2CH_2CH_3$, $NHSO_2CH(CH_3)_2$, OH, CH_2OH, Cl, F, C_2H_5, $CH(CH_3)_2$, C_2H_4OH, or CF_3.

6. (Previously presented) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^1 is F.

7. (Previously presented) A compound of claim 1, or a pharmaceutically acceptable salt thereof, wherein Z is CO.

8. (Currently amended) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^2 is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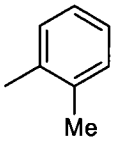
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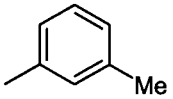
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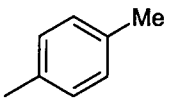
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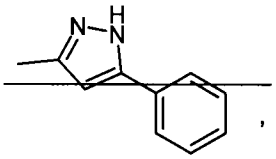
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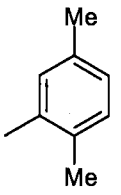
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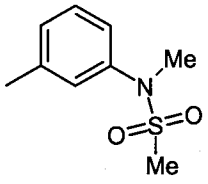
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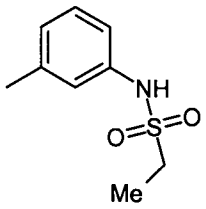
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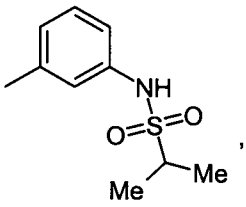
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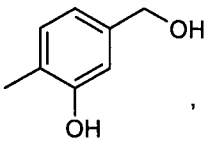
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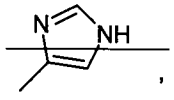
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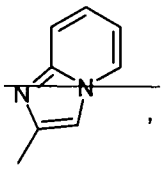
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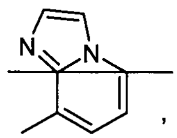
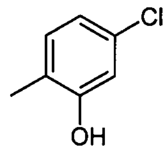
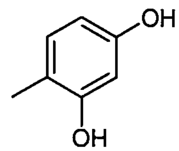
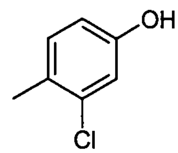
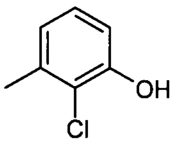
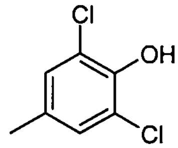
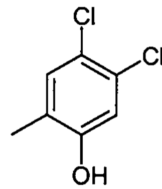
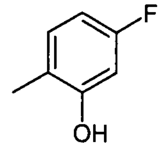
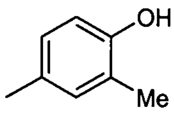
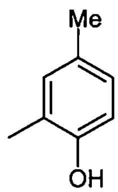
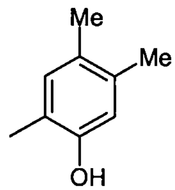
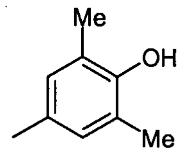
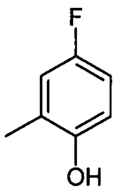
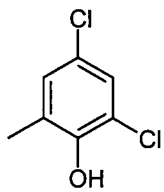
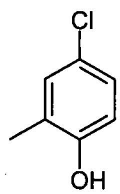
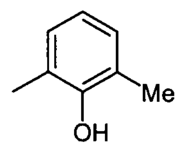
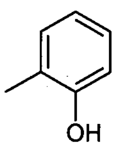
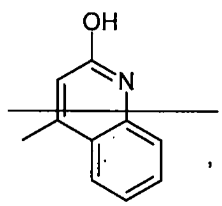
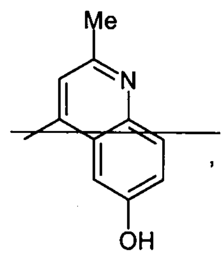
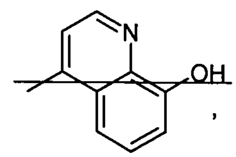
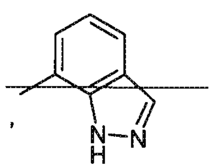
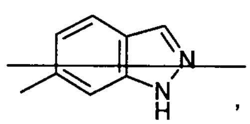
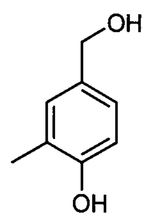
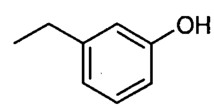
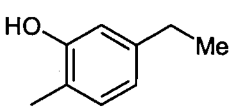
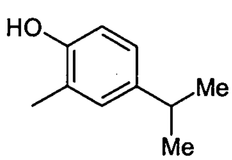
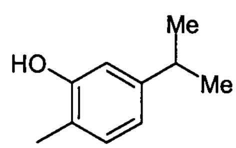
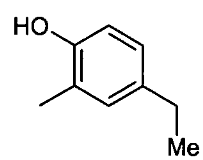
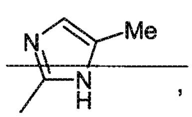
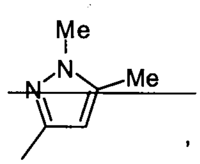
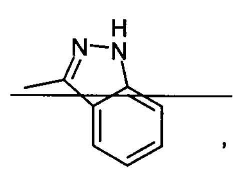
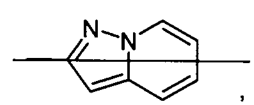
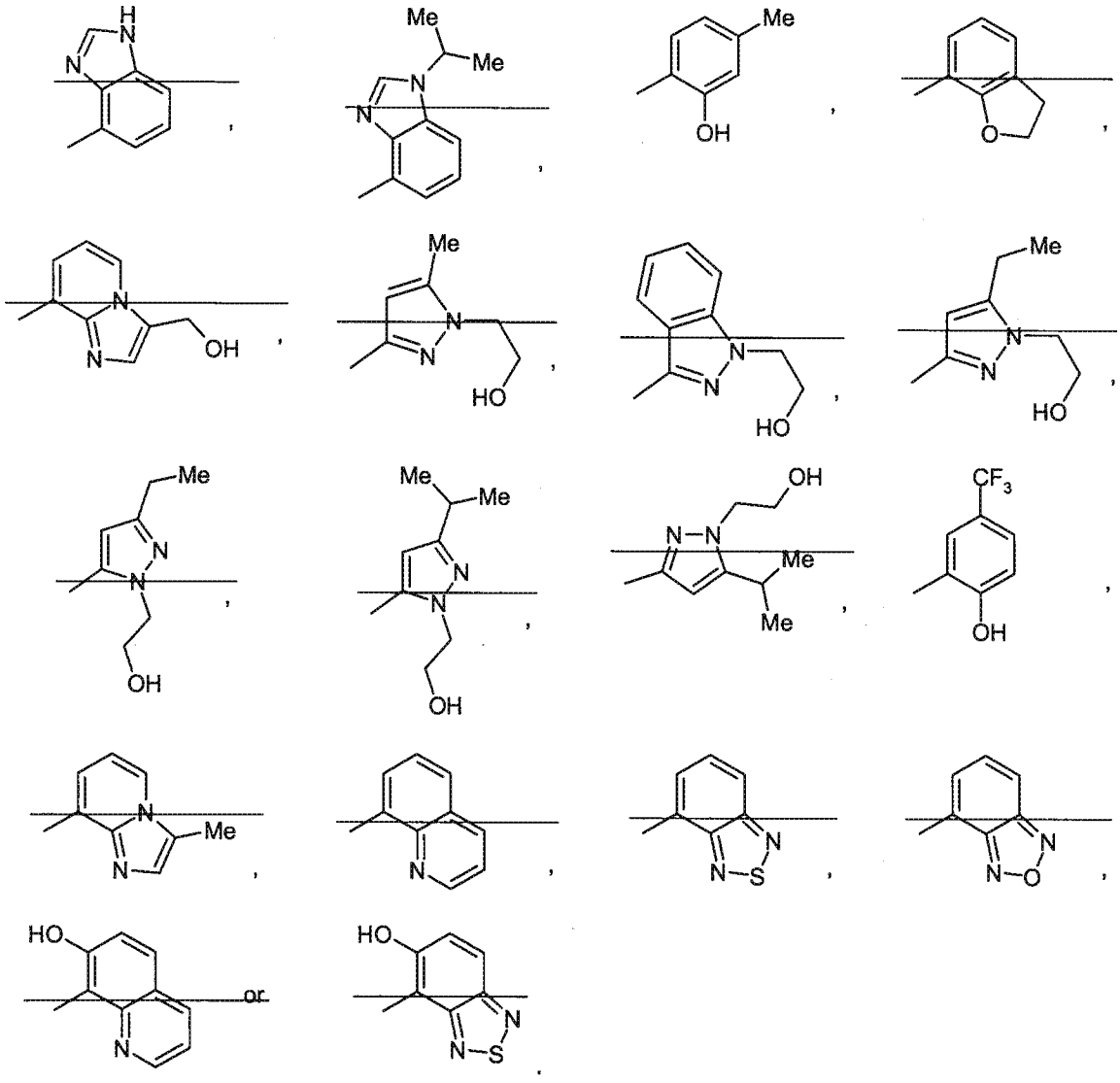
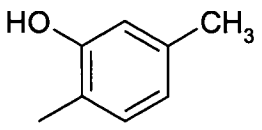
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,
 ,

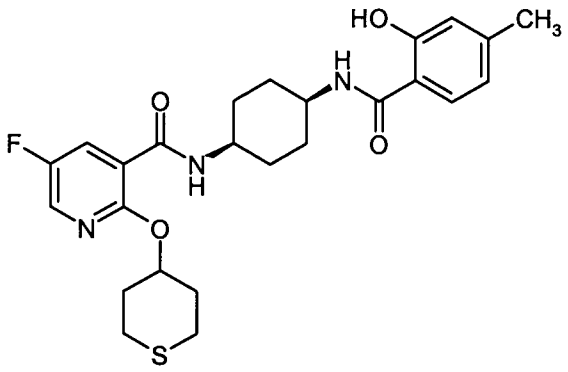


9. (Previously presented) A compound of Claim 1, or a pharmaceutically acceptable salt thereof, wherein R^2 is



10. (Currently amended) A compound of Claim 9, or a pharmaceutically acceptable salt thereof, wherein ~~R^1 is fluoro, and~~ Z is CO.

11. (Previously presented) *Syn*-5-Fluoro-N-[4-(2-hydroxy-4-methyl-benzoylamino)-cyclohexyl]-2-(tetrahydro-thiopyran-4-yloxy)-nicotinamide of formula:

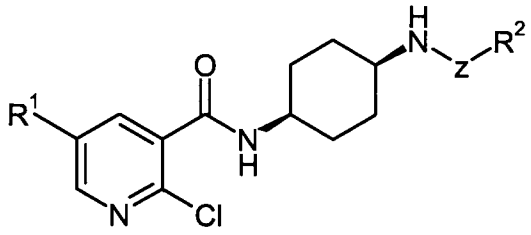


or a pharmaceutically acceptable salt or solvate thereof.

12. (Previously presented) A pharmaceutical composition comprising a compound of Claim 1, or a pharmaceutically acceptable salt or solvate thereof, and a pharmaceutically acceptable carrier, diluent or excipient.

13. - 20. (Canceled)

21. (Currently amended) A process for preparing a compound of Claim 1, comprising reacting a compound of formula (IX) ,



(IX)

,

wherein Z is CO or SO_2;

R^2 is phenyl, benzyl, naphthyl or (C_3-C_8)cycloalkyl,

each of which is optionally substituted independently with one to three halo; CN; $CONR^3R^4$; (C_1-C_6)alkyl optionally substituted with one to three halo; OH; hydroxy(C_1-C_6)alkyl; ((C_3- C_8)cycloalkyl)-(C_1-C_6)alkyl; phenyl optionally substituted independently with one to three hydroxy or halo; (C_3-C_8)cycloalkyl; or NR^3R^4; and

R^3 and R^4 are each independently H, (C_1-C_4)alkyl or SO_2(C_1-C_4)alkyl;

with tetrahydrothiopyran-4-ol.

22. - 31. (Canceled)

32. (New) A method of treating a respiratory disease in a mammal, which method comprises administering to said mammal in need of such treatment a therapeutically effective amount of a compound of Claim 1 or a pharmaceutically acceptable salt thereof; or a pharmaceutical composition of a compound of Claim 1, or a pharmaceutically acceptable salt thereof, and a pharmaceutically acceptable excipient or additive.

33. (New) A method of Claim 32 wherein said allergic or non-allergic airways disease is selected from the group consisting of: asthma, chronic obstructive pulmonary disease, acute bronchoconstruction, bronchitis, small airways obstruction, emphysema, chronic eosinophilic pneumonia, adult respiratory distress syndrome (ARDS), acute lung injury and bronchiectasis.

34. (New) A method of Claim 33 wherein said allergic or non-allergic airways disease is asthma or chronic obstructive pulmonary disease.

35. (New) A method of Claim 34 wherein said asthma is selected from the group consisting of: atopic asthma, non-atopic asthma, allergic asthma, atopic bronchial IgE-mediated asthma, bronchial asthma, essential asthma, true asthma, intrinsic asthma caused by pathophysiologic disturbances, extrinsic asthma caused by environmental factors, essential asthma of unknown or inapparent cause, bronchitic asthma, emphysematous asthma, exercise-induced asthma, allergen induced asthma, cold air induced asthma, occupational asthma, infective asthma caused by bacterial, fungal, protozoal, or viral infection, non-allergic asthma, incipient asthma, wheezy infant syndrome and bronchiolytis.

36. (New) A method of Claim 33 wherein said bronchitis is selected from the group consisting of acute bronchitis, chronic bronchitis, acute laryngotracheal bronchitis, arachidic bronchitis, catarrhal bronchitis, croupus bronchitis, dry bronchitis, infectious asthmatic bronchitis, productive bronchitis, staphylococcus bronchitis, streptococcal bronchitis and vesicular bronchitis.

37. (New) A method of Claim 33 wherein said bronchiectasis is selected from the group consisting of cylindric bronchiectasis, sacculated bronchiectasis,

fusiform bronchiectasis, capillary bronchiectasis, cystic bronchiectasis, dry bronchiectasis and follicular bronchiectasis.

38. (New) A pharmaceutical composition comprising a compound of Claim 11, or a pharmaceutically acceptable salt or solvate thereof, and a pharmaceutically acceptable carrier, diluent or excipient.

39. (New) A method of treating asthma or chronic obstructive pulmonary disease in a mammal, which method comprises administering to said mammal in need of such treatment a therapeutically effective amount of a compound of Claim 11, or a pharmaceutically acceptable salt thereof; or a pharmaceutical composition comprising a compound of Claim 11, or a pharmaceutically acceptable salt thereof, and a pharmaceutically acceptable excipient or additive.